

Appl. No. 09/966,064
Amdt. dated March 7, 2005
Reply to Office action of January 13, 2005

REMARKS/ARGUMENTS

The receipt of the Office action dated January 13, 2005 is hereby acknowledged. In that action the Examiner: 1) rejected claims 1, 6-12 and 16-22 as allegedly unpatentable over "applicant's admission of prior art [AAPA]" and Alcorn (U.S. Pat. No. 6,106,396); and 2) objected claims 2-5 and 13-15 as being dependent upon a rejected base claim, but otherwise allowable.

With this response, Applicants amend claims 2, 6, 9-10, 13-14, 16, and 18-19, and cancel claim 1. Reconsideration is respectfully requested.

I. EFFECTIVELY ALLOWED CLAIMS

With this Response, Applicants amend claim 2 to be in independent form. It is noted that claim 2 already contained these limitations by virtue of its previous dependency. Moreover, Applicants corrected the "ROM1" recitation as noted by the Examiner. Thus, claims 2-5 should now be in a condition for allowance.

Further, Applicants amend each of claims 13 and 14 to be in independent form. It is noted that these claims already contained these limitations by virtue of their previous dependency. Thus, claims 13-15 should now be in a condition for allowance.

II. CLAIM REJECTIONS

A. Claim 6

Claim 6 stands rejected as obvious over alleged admitted prior art and Alcorn.

Alcorn is directed to an electronic casino gaming system with improved play capability, authentication and security. (Alcorn Title). In the Alcorn system, the ROM 14 is expressly discussed to be two separate devices.

As seen in FIG. 2, the ROM unit 14 used in the FIG. 1 system comprises **two separate ROM elements: ROM 29 and ROM 30. ROM 29 must be an unalterable device...** ROM 30 is preferably an unalterable device like ROM 29, by may comprise a different type of ROM...

(Alcorn col. 7, lines 17-34). One ROM stores the operating system program and the system drivers for the operating system program, and the other stores the boot code, an authentication program and a random number generator. (*Id.*).

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Claim 6, by contrast, specifically recites "a read only memory (ROM) coupled to the CPU, wherein the ROM further comprises: a redundant portion; and a non-redundant portion; wherein the redundant portion of the ROM stores a first set of BIOS programs and a second set of BIOS programs; and wherein the non-redundant portion of the ROM stores a first set of operating system drivers" Applicants respectfully submit that their admissions (if any) taken with Alcorn fail to teach or fairly suggest the claim limitations. With regard to the claimed redundant portion, the Office action dated January 13, 2005, alleges that Alcorn teaches "A redundant portion [Fig. 2, ROM 29], wherein the redundant portion of the ROM stores the BIOS programs [col. 7, line 26]... ." (Office action dated January 13, 2005, page 3, paragraph 8). With regard to the non-redundant portion of the claimed system, the Office action dated January 13, 2005, alleges that Alcorn teaches "A non-redundant portion [Fig. 2, ROM 30], wherein the non-redundant portion of the ROM stores the operating system drivers [col. 7, lines 29-30]." (Office action dated January 13, 2005, page 4, continuation of paragraph 8). As between these two quotations, the Office action admits as a matter of law **the BIOS program of Alcorn is stored in ROM 29, and the operating system drivers are stored in ROM 30.** Alcorn and admitted prior art (if any) thus teach away from a single ROM comprising a redundant portion and a non-redundant portion where "the redundant portion of the ROM stores a first set of BIOS programs and a second set of BIOS programs; and wherein the non-redundant portion stores a first set of operating system drivers." For this reason, the rejection of claim 6 is improper.

Based on the foregoing, Applicants respectfully submit that claim 6 is not rendered unpatentable by admitted prior art (if any) taken with Alcorn, and should be allowed together with all claims that depend from claim 6 (claims 7-9).

B. Claim 10

Claim 10 stands rejected as obvious over alleged admitted prior art in view of Alcorn. Applicants amend claim 10 to more clearly define over the system of Alcorn, which neither discloses, nor has a need for, having hardware drivers for a plurality of different operating systems.

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Alcorn is directed to an electronic casino gaming system with improved play capability, authentication and security. (Alcorn Title). In the Alcorn system, the ROM 14 (which according to Alcorn comprises two separate ROM elements: ROM 29 and ROM 30), stores the operating system program and the system drivers for the operating system program. (Alcorn col. 7, lines 17-34).

Claim 10, by contrast, specifically recites, "storing in a ROM device of a computer system a basic input output system (BIOS) program; and storing in the ROM hardware drivers for a plurality of different operating systems." Applicants respectfully submit that their admitted prior art (if any) taken with Alcorn fail to teach or fairly suggest the limitations of claim 10. In particular, while Alcorn may teach system drivers in ROM 30 (see Figure 2), neither Applicants' alleged admitted prior art nor Alcorn, alone or in combination, teach or suggest "storing in the ROM hardware drivers for a plurality of different operating systems."

Based on the foregoing, Applicants respectfully submit that claim 10 is not rendered unpatentable by admitted prior art (if any) taken with Alcorn, and should be allowed together with all claims that depend from claim 10 (claims 11-12).

C. Claim 16

Claim 16 stands rejected as obvious over alleged admitted prior art taken with Alcorn. Applicants amend claim 16 to more clearly define over the system of Alcorn, which neither discloses, nor has a need for, having hardware drivers for a plurality of different operating systems.

Alcorn is directed to an electronic casino gaming system with improved play capability, authentication and security. (Alcorn Title). In the Alcorn system, the ROM 14 (which according to Alcorn comprises two separate ROM elements: ROM 29 and ROM 30), stores the operating system program and the system drivers for the operating system program. (Alcorn col. 7, lines 17-34).

Claim 16, by contrast, specifically recites, "supplying an operating system driver during the installation of an operating system by copying the operating system driver from a read only memory (ROM) device comprising a basic input output system (BIOS) and operating system drivers for a plurality of different

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operating systems." Applicants respectfully submit that their admitted prior art (if any) taken with Alcorn fail to teach or fairly suggest the limitations of claim 16. In particular, the Office action dated January 13, 2005 admits as a matter of law that two separate ROMs are used, one for the BIOS programs and one that stores operating system drivers. (Office action dated January 13, 2005, pages 3-4, paragraph 8). Thus, admitted prior art (if any) taken with Alcorn fail to teach "a read only memory (ROM) device comprising a basic input output system (BIOS) and operating system drivers for a plurality of operating systems." For this reason alone the rejection of claim 16 is improper.

Moreover, claim 16 specifically recites that the ROM device comprises "operating system drivers for a plurality of different operating systems." Neither Applicants' admitted prior art (if any) nor Alcorn teach or suggest that a ROM should contain operating system drivers for a plurality of operating systems. For this additional reason, the rejection of claim 16 is improper.

Based on the foregoing, Applicants respectfully submit that claim 16 is not rendered unpatentable by their admitted prior art (if any) taken with Alcorn, and claim 16, along with claim 17 which depends from claim 16, should be allowed.

D. Claim 18

Claim 18 stands rejected as obvious over alleged admitted prior art in view of Alcorn. Applicants amend claim 18 to correct antecedent basis and grammatical shortcomings, and not to define over any cited art. Further, Applicants amend claim 18 to more clearly define over the system of Alcorn, which neither discloses, nor has a need for, having hardware drivers for a plurality of different operating systems.

Alcorn is directed to an electronic casino gaming system with improved play capability, authentication and security. (Alcorn Title). In the Alcorn system, the ROM 14 (which according to Alcorn comprises two separate ROM elements: ROM 29 and ROM 30), stores the operating system program and the system drivers for the operating system program. (Alcorn col. 7, lines 17-34).

Claims 18, by contrast, specifically recites a ROM comprising "a redundant portion; and a non-redundant portion; wherein the redundant portion of the ROM

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stores a first set and a second set of BIOS programs; and wherein the non-redundant portion of the ROM stores the operating system drivers for a plurality of different operating systems... ." Applicants respectfully submit that their admitted prior art (if any) taken with Alcorn fail to teach or fairly suggest the limitations of claim 18. In particular, the Office action dated January 13, 2005 admits as a matter of law that two separate ROMs are used, one for the BIOS programs and one that stores operating system drivers. (Office action dated January 13, 2005, pages 3-4, paragraph 8). Thus, admitted prior art (if any) taken with Alcorn fail to teach a ROM that "stores a first set **and** a second set of BIOS programs; **and** wherein the non-redundant portion of the ROM stores the operating system drivers for a plurality of different operating systems." For this reason alone, the rejection of claim 18 is improper.

Moreover, claim 18 specifically recites that the ROM device comprises "operating system drivers for a **plurality of different operating systems.**" Neither Applicants' admitted prior art (if any) nor Alcorn teach or suggest that a ROM should contain operating system drivers for a plurality of operating systems. For this additional reason, the rejection of claim 18 is improper.

Based on the foregoing, Applicants respectfully submit that claim 18 is not rendered unpatentable by their admitted prior art (if any) taken with Alcorn, and claim 18 should be allowed together with all claims which depends from claim 18 (claims 19-20).

E. Claim 21

Claim 21 stands rejected as obvious over alleged admitted prior art taken with Alcorn.

Alcorn is directed to an electronic casino gaming system with improved play capability, authentication and security. (Alcorn Title). In the Alcorn system, the ROM 14 (which according to Alcorn may comprise two separate ROM elements: ROM 29 and ROM 30), stores the operating system program and the system drivers for the operating system program. (Alcorn col. 7, lines 17-34).

Claim 21, by contrast, specifically recites, "dividing an electrically erasable programmable read only memory (EEPROM) into a redundant and

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non-redundant portions; storing in the redundant portion of the EEPROM a first set of basic input output system (BIOS) programs and a second set of BIOS programs; and storing the non-redundant portion of the EEPROM operating system drivers." Applicants respectfully submit that their admitted prior art (if any) taken with Alcorn fail to teach or fairly suggest the limitations of claim 21. In particular, the Office action dated January 13, 2005 admits as a matter of law that two separate ROMs are used, one for the BIOS programs and one that stores operating system drivers. (Office action dated January 13, 2005, pages 3-4, paragraph 8). Thus, Alcorn teaches away from "storing in the redundant portion of the EEPROM a first set of basic input output system (BIOS) programs and a second set of BIOS programs; and storing the non-redundant portion of the EEPROM operating system drivers." For this reason, the rejection of claim 21 is improper.

Based on the foregoing, Applicants respectfully submit that claim 21 is not rendered unpatentable by their admitted prior art (if any) in view of Alcorn, and that claim 21 should be allowed together with claim 22 which depends from claim 21.

III. CLAIM CANCELLATION

With this Response, Applicants cancel claim 1. This cancellation is without prejudice to later asserting claim 1, such as in a continuation application.

IV. CONCLUSION

Applicants respectfully request reconsideration and allowance of the pending claims. If the Examiner feels that a telephone conference would expedite the resolution of this case, he is respectfully requested to contact the undersigned.

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may

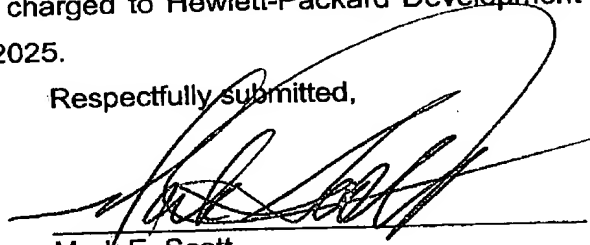
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be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper.

In the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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